

JAN 27 2006

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RENATO AVELARDO RODRIGUEZ
ROSALES; et al.,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-72804

Agency Nos. A76-367-930
A76-367-931
A76-367-932
A76-367-933
A76-367-934

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted January 23, 2006^{**}

Before: T.G. NELSON, SILVERMAN and BYBEE, Circuit Judges.

Respondent's unopposed motion for summary disposition is granted as to petitioners Elvia Rodriguez Mendez and Renato Rodriguez Mendez because the questions raised by this petition for review are so insubstantial as not to require

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). Accordingly, this petition for review is denied. *See* 8 U.S.C. § 1229b(b).

Respondent's unopposed motion to dismiss this petition for review for lack of jurisdiction as to the remaining petitioners is granted. *See* 8 U.S.C. § 1252(a)(2)(B)(i); *Romero-Torres v. Ashcroft*, 327 F.3d 887, 892 (9th Cir. 2003); *Montero-Martinez v. Ashcroft*, 277 F.3d 1137, 1144 (9th Cir. 2002).

The temporary stay of removal and voluntary departure confirmed by Ninth Circuit General Order 6.4(c) and *Desta v. Ashcroft*, 365 F.3d 741 (9th Cir. 2004), shall continue in effect until issuance of the mandate.

All other pending motions are denied as moot.

DISMISSED in part and DENIED in part.